IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 6424 of 2004(M)

PETITIONER:

PUTHIYAPURAYIL MAKKUNNATH KHALID,
S/O.MAMMED HAJI, CHAVASSERY AMSOM,
VELIYAMBRA DESOM, KANNUR DISTRICT.

BY ADV. SRI.K.V.SOHAN
SMT.SREEJA SOHAN.K.

RESPONDENTS:

----

1. **THE VILLAGE OFFICER,**
   CHAVASSERY VILLAGE,
   CHAVASSERY, TELLICHERRY TALUK,
   KANNUR DISTRICT.

2. **THE TAHSILDAR,**
   TELLICHERRY, KANNUR DISTRICT.

BY GOVERNMENT PLEADER SRI.MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.6424/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PURCHASE CERTIFICATE ISSUED IN FAVOUR OF THE PETITIONER DT.25.2.1977.

EXT.P2:- COPY OF THE MORTAGAGE DEED EXECUTED BY THE PETITIONER, DT.28.1.1984.

EXT.P3:- COPY OF THE BASIC TAX RECEIPT ISSUED BY HE 1ST RESPONDENT, DT.24.2.1997.

EXT.P4:- COPY OF THE BASIC TAX RECEIPT PAYMENT OF LAND TAX FOR TWO ACRES ISSUED BY THE 1ST RESPONDENT, DT.17.1.04.

EXT.P5:- COPY OF THE INTERIM ORDER IN OP. 2808/01 DT.27.3.01.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P.(C) NO. 6424 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

This writ petition is filed with the following prayer.

> b) Issue a writ of mandamus or other appropriate writ or order directing the first respondent to stop all proceedings for auctioning the improvements in the property or interfering with the possession of the petitioner in R.S. 121 of Chavassery Village, Veliyambra desom.

2. It is for the petitioner to approach Taluk Lank Board, Thalassery. The contention that the petitioner has a purchase certificate can also be taken before the Taluk Land Board. It is seen that a similar matter has been disposed of by judgment in O.P. 2808/2001.

In the event of the petitioner thus approaching Taluk Land Board within a period of two months, the matter will be duly considered by the Taluk Land Board, Thalassery with notice to the petitioner and any other affected parties and pass appropriate orders in accordance with law within a period of another four months. Interim order dated 23.02.2004 will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp